



Lake County

JSEC Insider

Employer's Guide to Drug Testing in Montana

<http://wsd.dli.mt.gov/service/drugman.asp>

An informational guide to help Montana employers develop and implement alcohol and controlled substance testing programs. The manual includes a copy of the 1997 "Workforce Drug and Alcohol Testing Act" enacted by the Montana State Legislature, summaries of applicable state and federal codes where appropriate, and a list of resources employers can use for additional help in establishing their alcohol and controlled substance testing programs.

The information in the manual is designed to help educate employers and is not offered as legal advice or opinion. Employers or employees seeking a determination of legal rights or responsibilities should seek the counsel of an attorney.

Free Posters!
Remember to ask Job Service for the 5-in-1 Posters and USERRA Posters!

Don't let private companies make you believe that you have to pay for them. They are FREE of charge from your local Job Service office. Just call 883-7880

JSEC Representatives

Karen Dellwo, JSEC Chair
Todd Erickson, Coordinator
Patti Patterson, Co-Coordinator

"The Real Scoop on Independent Contractors"

Presented for Mission Valley Builder's Association
Wednesday, July 20th at the Polson VFW Hall @ 6:30pm
Please RSVP by calling Cathy Loucks, Secretary, at First American Title at (406)883-5258. Cost with dinner is \$14.00 or \$7.00 without a meal.

INDEPENDENT CONTRACTOR

SB 108- Revision of Requirements for Independent Contractor Exemption Certificates:
Businesses or hiring agents who utilize Independent Contractors need to be aware of these changes in order to obtain the protections of the law.

New legislation addressing Independent Contractors was effective April 28, 2005, and came about as a result of a study authorized by the 2003 legislative session.

The legislation restores the conclusive presumption of an Independent Contractor exemption certificate that was previously overturned by a court decision.

The law now requires that Independent Contractors either have the exemption or purchase workers' compensation insurance coverage on themselves. Failure to obtain the exemption or workers' compensation insurance may result in the worker being treated as an employee of the hiring agent. Hiring agents may be responsible for claims for injuries or occupational diseases and for payment of premium on their wages.

To be conclusively presumed to be an Independent Contractor, the Department of Labor & Industry must:
Approve an application for an Independent Contractor exemptions certificate based upon a submission of a complete application after April 28, 2005;
The person must be working under the Independent Contractor exemptions certificate.

To be "working under" an Independent Contractor exemption the worker must be performing the type of work listed on the certificate and the hiring agent and the Independent Contractor do not have a written or an oral agreement that the Independent Contractor's certificate holder's status is that of an employee.

For more information and to obtain forms:
<http://erd.dli.mt.gov/wcregs/mtcontractor.asp>



Lake County Job Service Workforce Center
PO Box 970
417 B Main Street
Polson, MT 59860



Building Employee Relations

You'd probably use a tape measurer to build any project that you undertake so that all the pieces fit the plan wouldn't you? It's best to approach your employee performance reviews in the same way - with a plan to build a better workplace. Use the same measurement tool for all employees and document the meetings. Remember to "measure twice and cut once," in other words, take your time and offer constructive criticism as well as deserved praise. For more information on evaluations, handbooks and performance reviews, contact Todd Erickson at 406/883-7885

JSEC Members

Karen Dellwo, First Interstate Bank, Chair
Theresa Jones, St. Luke Hospital, Treasurer
Stacey Kiehn, S&K Technologies
Kathy Olson, S&K Technologies
Rick Molenda, Western Bee
Emily Peck, Polson School Dist., #23
Joyce Rogers, Western Building Center
Ken Rohrenbach
Michelle Cope, Polson Chamber
Nikki Montesano - Jore Corporation
Lettie Neuman - Kicking Horse
Audi Moran - S&K Technologies
Paula Weaver, Tamsco
Marilyn Becker, OPA
Nikki Montesano, Jore Corporation
Adina Fox, Ronan Telephone
Wayne Fuchs, St. Luke Hospital

2005 JSEC SCHOLARSHIP WINNER'S

Lake County Job Service Employers' Committee (JSEC) scholarships were awarded to local students in the amount of \$500.00 each. Karen Dellwo, JSEC Chair, awarded Alyssa R. O'Neill of Arlee with a \$500 scholarship. Alyssa will be attending the University of Montana - Western in September and will be studying Elementary Education. Amanda Couch, JMG Student from St. Ignatius was awarded a \$500 scholarship. Amanda will be attending University of Montana - Western in September, also studying Elementary Education. Congratulations to both of these students!

To keep current on Wage & Hour laws; new available resources, new employer information, upcoming Work Shops; previous Newsletters: visit our website: employlakecounty.com or call Todd Erickson, Business Advocate @ 406.883.7885



Mini A B C Clinic
Coming in October
Time and location to be announced